

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KCG HOLDINGS, INC. and KCG  
AMERICAS,

Plaintiffs,

v.

ROHIT KHANDEKAR

Defendant.

Case No. 17 cv 03533 (AJN)

**[PROPOSED] REVISED CIVIL CASE  
MANAGEMENT PLAN AND  
SCHEDULING ORDER**

This Civil Case Management Plan and Scheduling Order (Docket #38), is hereby amended as follows:

1. All fact discovery is to be completed no later than October 10, 2017.
2. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided that the parties meet the deadline for completing fact discovery set forth in ¶ 1 above.
  - a. Document production will be completed by September 15, 2017.
  - b. Fact depositions will be completed between September 25 and October 10, 2017. Fact depositions to be limited to 4 per party. Each notice for a 30(b)(6) deposition shall be counted as one (1) deposition limited to seven (7) hours no matter the number of individuals who may need to testify concerning the topics.
  - c. Requests to Admit will be served by October 10, 2017.
3. Expert discovery, including disclosure of expert reports and production of underlying documents, shall be completed by October 20, 2017. Rebuttal reports shall be completed by November 3, 2017. All expert depositions shall be completed by November 17, 2017. Expert depositions shall be limited to two (2) per party.
4. All motions and applications shall be governed by the Court's Individual Rules.
5. All counsel must meet in person for at least one hour to discuss settlement within fourteen (14) days following the close of fact discovery.

6. Summary Judgment and Daubert motions are to be filed within 30 days of the close of all discovery. Absent good cause, the Court will not ordinarily have summary judgment practice in a non-jury case.
7. Unless otherwise ordered by the Court, within forty (40) days of the close of all discovery, or, if a dispositive motion has been filed, within fourteen (14) days of a decision on such motion, the parties file via ECF a Joint Pretrial Report prepared in accordance with the Court's Individual Practices and Fed. R. Civ. P. 26(a)(3). Any motions in limine shall be filed via ECF at the same time that the a Joint Pretrial Report is filed. If this action is to be tried before a jury, proposed voir dire, jury instructions, and a verdict form shall also be filed at the same time as the Joint Pretrial Report.
8. The parties shall be ready for trial within two weeks of filing the Joint Pretrial Report.
9. This case is to be tried to a jury on all issues so triable. Plaintiffs reserve the right to seek a non-jury trial where allowable by law.

Except for the dates contained in ¶ 2 above, this Order may not be modified or the dates herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend the dates herein shall be made in a written application in accordance with Court's Individual Rules and shall be made no fewer than two (2) business days prior to the expiration of the date sought to be extended. Absent exceptional circumstances, extensions will not be granted after deadlines have already passed. Ongoing settlement discussions do not extend any date herein unless expressly ordered by the Court.

The next Case Management Conference is scheduled for \_\_\_\_\_ at \_\_\_\_\_.

SO ORDERED.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
JUDGE GABRIEL W. GORENSTEIN  
United States Magistrate Judge